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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCEL DARON KING,

Defendant.

) NO. 10-CR-455 WHA

)
) UNITED STATES' MOTION TO SEAL EXHIBITS
) A AND B IN SUPPORT OF MOTION FOR THE
) COURT TO FIND THAT INTEREST OF JUSTICE
) DOES NOT REQUIRE RAPE VICTIM TO
) TESTIFY AT HEARING ON REVOCATION OF
) SUPERVISED RELEASE

) Date: July 13, 2016

) Time: 8:00 a.m.

) Court: Hon. William Alsup

1 An evidentiary hearing on charge four of the U.S. Probation Office's Amended Petition for
2 Arrest Warrant, alleging that Defendant Marcel King sexually assaulted a fifteen-year-old girl has been
3 set by this Court on July 13, 2016. The United States has filed a motion for the Court to find that the
4 interest of justice does not require the rape victim to testify at the hearing on the defendant's revocation
5 of supervised release. In connection with its motion, the United States anticipates filing two exhibits,
6 specifically, Exhibits A and B, which consist of a video recorded interview of the rape victim on April
7 14, 2016, and an Evidentiary Interview Report by the Children's Assessment Center.

8 In order to protect the victim's privacy interests, the United States requests leave from the Court
9 to file those materials under seal pursuant to Title 18, United States Code, Section 3509(d). Although
10 Section 3509(d)(2) allows for the filing of these materials under seal without necessity of obtaining a
11 court order, the government is making the instant request out of an abundance of caution.

12 Accordingly, the United States hereby requests leave to file these exhibits, which will be filed as
13 the United States' Exhibits A and B in support of its motion, under seal.

14 Respectfully submitted,

15 Dated: July 8, 2016

16 BRIAN J. STRETCH
17 United States Attorney

18 /s/
19 CLAUDIA A. QUIROZ
20 Assistant United States Attorney
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[PROPOSED] ORDER

Upon the motion of the United States, and good cause appearing, IT IS HEREBY ORDERED THAT the Clerk of the Court file Exhibits A and B in support of the United States' Motion for the Court to Find That Interest of Justice Does not Require Rape Victim to Testify at Hearing on Revocation of Supervised Release under seal, except that copies may be provided to Defendant Marcel King and his counsel, and maintain the documents under seal until further notice from this Court.

IT IS SO ORDERED.

DATED: July 12, 2016.



HON. WILLIAM ALSUP
United States District Court Judge